

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CAROLINE ANGULO, et al.,

Plaintiffs,

v.

PROVIDENCE HEALTH AND
SERVICES - WASHINGTON, et al.,

Defendants.

CASE NO. C22-0915JLR

ORDER TO SHOW CAUSE

On August 9, 2024, the court denied Plaintiffs’ motion for class certification, granted Defendant Providence Health and Services – Washington’s (“Providence”) motion to strike class allegations, and granted Plaintiffs leave to file a fourth amended complaint “to allege, if possible, proposed class definitions that are not fail safe.” (8/9/24 Order (Dkt. # 184) at 16.) The court then proceeded to review the class certification requirements set forth in Federal Rules of Civil Procedure 23(a) and 23(b) “to provide Plaintiffs guidance as they redefine their proposed classes.” (*Id.* at 17-33.) The court

1 instructed Plaintiffs to “file a fourth amended complaint that addresses the issues
2 identified in t[he] order by no later than August 30, 2024.” (*Id.* at 33.)

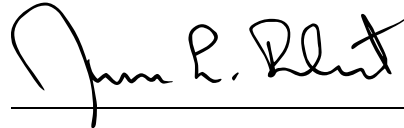
3 Plaintiffs filed their fourth amended complaint under seal on August 30, 2024.
4 (4th Am. Compl. (Dkt. # 189).) Plaintiffs’ third amended complaint was 71 pages long,
5 attached four exhibits, and named ten plaintiffs. (*See generally* 3d Am. Compl. (Dkt.
6 # 129).) Plaintiffs’ fourth amended complaint, in comparison, is 173 pages long, attaches
7 seven exhibits, and names approximately 130 new Plaintiffs, all of whom are proposed
8 class representatives.¹ (*See generally* 4th Am. Compl.) In the court’s view, Plaintiffs’
9 amendments have strayed far beyond the limited scope of the leave to amend granted in
10 the court’s August 9, 2024 order. Amendments to the complaint beyond those necessary
11 to address the issues identified in that order should have been the subject of a separate
12 motion for leave to amend.

13 Accordingly, the court ORDERS Plaintiffs to SHOW CAUSE by no later than
14 **October 15, 2024**, why the court should not strike the fourth amended complaint for
15 failure to comply with the August 9, 2024 order. Providence may file an optional reply to
16 Plaintiffs’ response to the order to show cause by no later than **October 21, 2024**. If the
17 court determines that striking the fourth amended complaint is warranted, it will give
18 Plaintiffs leave to file a fifth amended complaint that complies with the August 9, 2024
19 order. The court stays the briefing schedules for Plaintiffs’ motion to seal (Dkt. # 203)
20 and Providence’s motion to strike (Dkt. # 215) until the court resolves the issues raised in

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22 ¹ Four of these newly-added Plaintiffs voluntarily dismissed their individual claims on
September 26, 2024. (*See* 9/26/24 Notice (Dkt. # 204).)

1 this show cause order. The Clerk is DIRECTED to renote these pending motions for
2 October 21, 2024.

3 Dated this 7th day of October, 2024.

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6 JAMES L. ROBART
7 United States District Judge
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